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PUEBLO OF LAGUNA  
GOVERNOR'S OFFICE

CERTIFIED MAIL #07  
RETURN RECEIPT REQUESTED

Mr. Ross O. Swimmer  
Assistant Secretary for Indian Affairs  
United States Department of the Interior  
Interior Building, Room 4640  
Washington, D.C. 20240

Re: Appeal of Joint Bureau of Indian  
Affairs/Bureau of Land Management  
Order of April 4, 1986  
Reference: Jackpile-Paguate Mine 3570 (017)

Dear Mr. Swimmer:


The undersigned are writing on behalf of our respective clients, Anaconda Minerals Company ("Anaconda") and the Albuquerque Office, Bureau of Indian Affairs, in regard to the above-referenced matter. On April 4, 1986, Mr. Barry Welch, Assistant Area Director of the Albuquerque Area Office, Bureau of Indian Affairs, and Mr. Herrick E. Hanks, Area Manager for the Rio Puerco Resource Area, Bureau of Land Management, issued an Order requiring Anaconda to erect fencing and post warning signs at the Jackpile-Paguate Mine, and to provide security personnel at the Mine site during certain hours. A copy of that Order is attached as Exhibit A hereto. Anaconda subsequently filed Notices of Appeal with both Mr. Welch and Mr. Hanks, and intends to press those appeals vigorously if necessary. Copies of Anaconda's Notices of Appeal are attached as Exhibits B and C hereto.

Anaconda currently is engaged in intensive settlement negotiations with the Pueblo of Laguna and the United States Department of the Interior regarding ultimate reclamation of the Jackpile-Paguate Mine, which include aspects such as the control of the property on which the mine site is located. It appears that the issues raised by the April 4th Order may be resolved more efficiently by negotiation among Anaconda, the Pueblo of Laguna, and the local Bureau of Indian Affairs and Bureau of Land Management offices, than by expensive and time-consuming appeal procedures. Accordingly, Anaconda and the Albuquerque Office of the Bureau of Indian Affairs respectfully request that you issue an Order that Anaconda's Appeal and its obligation to file a Statement of Reasons be held in abeyance for a period of six months for the purpose of conducting settlement negotiations regarding the matters raised by the April 4th Order. Anaconda reserves all rights to press its appeal in the event such settlement negotiations are unsuccessful.

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Thank you for your assistance in this matter. If we may  
be of assistance, please do not hesitate to call upon us.

Respectfully Submitted,



Barry Berkson  
Assistant Field Solicitor  
Office of the Solicitor  
U.S. Department of the Interior  
Santa Fe, New Mexico



Michael J. Brennan  
for Holland & Hart

ATTORNEYS FOR APPELLANT  
ANACONDA MINERALS COMPANY

ATTORNEYS FOR THE BUREAU OF  
LAND MANAGEMENT/BUREAU OF INDIAN AFFAIRS

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the within letter was  
mailed on this 20<sup>th</sup> day of May, 1986, by certified mail,  
return receipt requested, to:

Governor Chester T. Fernando ✓  
Pueblo of Laguna  
Post Office Box 194  
Laguna, New Mexico 87026

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